

PROCEEDINGS AND ORDERS

DATE: [06/13/90]

CASE NBR: [89105900] CFX

STATUS: [

]

SHORT TITLE: [Rust, John E.

]

VERSUS

[Gunter, Frank O., et al.

]

DATE DOCKETED: [102589]

PAGE: [01]

*****DATE****NOTE*****PROCEEDINGS & ORDERS*****

Oct 25 1989 Petition for writ of certiorari and motion for leave to
proceed in forma pauperis filed.

Nov 30 1989 DISTRIBUTED. January 5, 1990

Jan 2 1990 Response requested. (Due February 1, 1990)

Feb 2 1990 Order extending time to file response to petition until
March 3, 1990.

Mar 1 1990 Brief of respondents Frank O. Gunter, et al. in opposition
filed.

Mar 8 1990 REDISTRIBUTED. March 23, 1990

Mar 12 1990 Reply brief of petitioner Rust filed.

Mar 26 1990 Petition GRANTED.

Apr 6 1990 Motion of petitioner for appointment of counsel filed.

Apr 16 1990 Motion for appointment of counsel GRANTED and it is
ordered that Alvin J. Bronstein, Esquire, of Washington,

SHOW

PROCEEDINGS AND ORDERS

DATE: [06/13/90]

CASE NBR: [89105900] CFX

STATUS: [

]

SHORT TITLE: [Rust, John E.

]

VERSUS

[Gunter, Frank O., et al.

]

DATE DOCKETED: [102589]

PAGE: [02]

*****DATE****NOTE*****PROCEEDINGS & ORDERS*****

Apr 16 1990 Motion for appointment of counsel GRANTED and it is
ordered that Alvin J. Bronstein, Esquire, of Washington,
D. C., is appointed to serve as counsel for the
petitioner in this case.

Apr 16 1990 Order extending time to file brief of petitioner on the
merits until June 15, 1990.

Apr 26 1990 Record filed.

May 1 1990 Record filed.

May 23 1990 Motion of Alvin J. Bronstein, Esquire, to withdraw as
counsel for petitioner filed.

May 25 1990 DISTRIBUTED. May 31, 1990. (Above motion).

May 30 1990 Response of Robert M. Spire, Attorney General of
Nebraska to motion of Alvin J. Bronstein for leave to
withdraw as Counsel for the petitioner filed and
distributed.

- 2/PP

SHOW

PROCEEDINGS AND ORDERS

DATE: [06/13/90]

CASE NBR: [89105900] CFX

STATUS: []

SHORT TITLE: [Rust, John E.]

VERSUS [Gunter, Frank O., et al.]

DATE DOCKETED: [102589]

-----DATE-----NOTE-----

PROCEEDINGS & ORDERS

PAGE: [03]

Jun 1 1990

DISTRIBUTED. JUNE 7, 1990. (MOTION OF ALVIN J. BRONSTEIN, ESQUIRE, TO WITHDRAW AS COUNSEL FOR THE PETITIONER).

Jun 4 1990

Motion of petitioner for appointment of counsel filed.

Jun 11 1990

The motion of Alvin J. Bronstein, Esquire, to withdraw as counsel for the petitioner is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of the representations made by counsel for petitioner appointed by the Court in his motion to withdraw as counsel filed May 22, 1990, the response to that motion filed by respondent May 30, 1990, and petitioner's motion for appointment of counsel filed June 4, 1990. The motion of petitioner for appointment of new counsel is denied as moot. Justice

SHOW

PROCEEDINGS AND ORDERS

DATE: [06/13/90]

CASE NBR: [89105900] CFX

STATUS: []

SHORT TITLE: [Rust, John E.]

VERSUS [Gunter, Frank O., et al.]

DATE DOCKETED: [102589]

-----DATE-----NOTE-----

PROCEEDINGS & ORDERS

PAGE: [04]

Jun 11 1990

The motion of Alvin J. Bronstein, Esquire, to withdraw as counsel for the petitioner is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of the representations made by counsel for petitioner appointed by the Court in his motion to withdraw as counsel filed May 22, 1990, the response to that motion filed by respondent May 30, 1990, and petitioner's motion for appointment of counsel filed June 4, 1990. The motion of petitioner for appointment of new counsel is denied as moot. Justice Stevens, concurring: While I join the Court's disposition, I believe it is appropriate also to call the Court of Appeals' attention to our decision in *Neitzke v. Williams*, 490 U. S. ----- (1989), a case

Last page of docket

SHOW

PROCEEDINGS AND ORDERS

DATE: [06/13/90]

CASE NBR: [89105900] CFX

STATUS: []

SHORT TITLE: [Rust, John E.]

VERSUS [Gunter, Frank O., et al.]

DATE DOCKETED: [102589]

-----DATE-----NOTE-----

PROCEEDINGS & ORDERS

PAGE: [05]

that it apparently overlooked when it entered its earlier judgment.